

REMARKS

In the Office Action, the Examiner maintained his rejection of Claims 11-16, and 19 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,446,389 to Heffner et al.

In support of his rejection of independent claim 11, the Examiner stated, "Heffner et al discloses a locking device disposed within a door operator of a passenger transit vehicle door system a lock bar (80) disposed within the door hanger, the lock bar having at least one locking cavity (18), a lock shaft (15) disposed within the locking device, a lock actuator (22) rotatably attached to the lock shaft for enabling rotation of the lock shaft, a lock lever (15L and 15R) attached to the lock shaft for engagement with the locking cavity for maintaining the door hanger in a fully locked position, the lock lever movable into an unlock position enabled by the lock actuator, a lock latch mechanism (30) disposed within a door lock mechanism of a passenger transit door system (10) for maintaining an unlocking lever in an unlock position, and for enabling movement of the door hanger in an opening direction, the lock latch mechanism enables engagement of the lock lever with the locking cavity upon movement of the door hanger in the closing direction (column 5, lines 19-30), as in claim 11".

The Examiner considered the arguments filed on November 19, 2004 but considered them as not persuasive and stated that

"Applicant's arguments fail to comply with 37CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references".

Amended claim 11 now specifically recites in paragraph (e) that "a lock latch mechanism disposed within such passenger transit door system, said lock latch mechanism including an unlocking cam attached to said lock shaft for rotation therewith, a lock latch lever pivotally biased for engagement with a first portion of said unlocking cam for maintaining said lock lever in said unlock position and for enabling movement of said door hanger in an opening direction and for enabling movement of said door into an open position, said lock latch lever biased for engagement with a second portion of said unlocking cam when said lock lever engaged with said at least one locking cavity of said lock bar, and a reset lever attached to said door hanger and engageable with said lock latch lever for pivotably moving thereof from engagement with said first portion into engagement with said second portion of said unlocking cam and for ~~said lock latch mechanism~~ enabling rotation of said lock shaft and engagement of said lock lever with said locking cavity upon movement of said door hanger in said closing direction".

It can be seen in amended claim 11 that the lock latch mechanism (80) of the present invention which is formed by a combination of unlocking cam (81), lock latch lever (90) and the reset lever assembly (110) is not taught or anticipated by Heffner et al.

First, the lock latch mechanism (80) of the present invention maintains the lock lever (76) in the unlocking position after such lock lever (76) is rotated into such position in a normal operation by the actuator (72).

Secondly, the lock latch mechanism (80) enables rotation of the lock shaft (74) and engagement of the lock lever (76) with the locking cavity (49).

The lock latch mechanism (30) in Heffner et al., as alleged by the Examiner being anticipatory of the lock latch mechanism (80) of the present invention, is a toggle assembly (30) capable of only maintaining the lock shaft (15) in "either the unlocking position... or the locking position..." (see column 5, lines 18-19) after rotation of such lock shaft (15) into either position. The toggle assembly (30) is not capable of causing the actual rotation of the lock shaft (15) from the unlocking position and engagement of the lock lever (15L, 15R) with the lock apertures (18L, 18R).

The actual rotation of the lock shaft (15) of Heffner et al. is performed by a "cooperation of the lock roller (51) and a

locking assembly (50) (see column 5, lines 60-61), and more particularly, by the contact between cam (62) disposed within the locking assembly (50) and the lock roller (51) when the door panel is moved in its closing direction (72) (see column 6, lines 1-2) causing rotation of the lock roller (51) and subsequent rotation of the lock shaft (15). The lock roller (51) is attached to the lock shaft (15) and the locking assembly (50) is attached to door hanger (80L).

Such lock roller (51) and the locking assembly (50) are not utilized in the present invention. The Applicant, as best understood, believes that invention of Heffner et al. will not be operable without the lock roller (51) and the locking assembly (50), as the lock shaft (15) will not rotate from the unlocking position.

Therefore, independent claim 11 is patentably distinguished from the Heffner et al. prior art reference.

Next, in support of his rejection of the independent claim 19, the Examiner stated, "Heffner et al. additionally discloses a locking device disposed within a door operator of a passenger transit vehicle door system having a lock shaft (15) disposed within said locking device, a lock lever (15L and 15R) pivotally attached to said lock shaft, a first lock bar (80L) disposed within said door hanger, said first lock bar having a cavity (18) for engagement with said lock lever, a second lock bar

(80R) disposed within said door hanger, said second lock bar having a cavity for engagement with said lock lever, a lock actuator (22) pivotally attached to said lock shaft for enabling said lock lever to move from such locking position to such unlocking position, a lock latch mechanism (30) disposed within said locking device of a passenger transit door system (10) for maintaining an unlock lever in such unlock position, and for enabling movement of the first door hanger in a first opening direction and the second door hanger in a second opening direction, the lock latch mechanism enables engagement of the lock lever with the first lock cavity and the second lock cavity in the fully locked position upon movement first door hanger in a first opening direction and the second door hanger in a second opening direction (column 5, lines 19-30), as in claim 19".

Claim 19 has been amended to specifically recite in paragraph (f) that "a lock latch mechanism disposed within such passenger transit door system, said lock latch mechanism including an unlocking cam attached to said lock shaft for rotation therewith, a lock latch lever pivotally biased for engagement with a first portion of said unlocking cam for maintaining said lock lever in said unlock position and for enabling movement of said first door hanger in a first opening direction and said second door hanger in a second opening direction and for enabling movement of said first door into a

first open position and movement of said second door into a
second open position, said lock latch lever biased for
engagement with a second portion of said unlocking cam when said
lock lever engaged with said first lock cavity and said second
lock cavity, and a reset lever attached to one of said first and
said second door hanger and engageable with said lock latch
lever for pivotably moving thereof from engagement with said
first portion into engagement with said second portion of said
unlocking cam and for ~~said lock latch mechanism~~ enabling
rotation of said lock shaft and engagement of said lock lever
with said first lock cavity and said second lock cavity in said
fully locked position upon movement of said first door hanger in
a first closing direction and said second door hanger in a
second closing direction".

As discussed above, with regards to claim 11, Heffner et al. does not anticipate the lock latch mechanism (80) of the present invention.

Therefore, independent claim 19 is patentably distinguished from the Heffner et al. prior art reference.

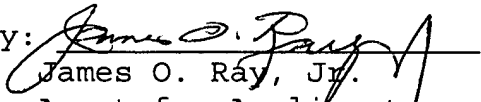
Accordingly, the Examiner is respectfully requested to withdraw his rejection of claims 11 and 19 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,446,389 to Heffner et al.

CONCLUSION

In view of the above amendments to the claims and the remarks associated therewith, the Applicant believes that independent claims 11 and 19 are in a condition for allowance and such allowance by the Examiner is respectfully requested. Since it is believed that independent claims 11 and 19 are in condition for allowance, their dependent claims providing further limitations are also in condition for allowance.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412) 380-0725 to resolve any remaining questions or issues by interview and/or by Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

By: 
James O. Ray, Jr.
Agent for Applicant
Registration No. 27,666

JAMES RAY & ASSOCIATES
2640 PITCAIRN ROAD
MONROEVILLE, PA 15146

TELEPHONE: 412-380-0725
FACSIMILE: 412-380-0748